

IN THE CENTRAL ADMINISTRATIVE TRIBUNAL
JAIPUR BENCH

Jaipur, this the 21st day of February, 2011

CONTEMPT PETITION NO. 29/2010
IN
ORIGINAL APPLICATION NO. 200/2006

CORAM

HON'BLE MR. M.L. CHAUHAN, JUDICIAL MEMBER
HON'BLE MR. ANIL KUMAR, ADMINISTRATIVE MEMBER

Ashok Kumar Mathur son of Shri Brij Lal Mathur, aged about 45 years, resident of 11/49, Brahmupuri, Ajmer (Rajasthan). Presently posted as Head Clerk in the office of the Assistant Controller of Stores (Loco Stores), North Western Railways, Ajmer.

.....Applicant

(By Advocate: Mr. P.P. Mathur)

VERSUS

1. Shri Vinay Mittal, General Manager, North Western Railway, Station Road, Jaipur.
2. Shri Kailash Chand Depan, Deputy Controller of Stores, North Western Railway, District Ajmer.

.....Respondents

(By Advocate: Mr. Anupam Agarwal)

ORDER (ORAL)

1. The applicant has filed this Contempt Petition for the alleged violation of the order dated 24.03.2010 passed by this Tribunal in OA No. 200/2006.

2. Notice of this Contempt Petition was given to the respondents. The respondents have filed their reply. Alongwith the reply, the respondents have annexed the copy of the order dated 19.11.2010 whereby the applicant has been assigned seniority at sr. no. 6 B instead of at sr. no. 21. Perusal of this order further reveals that

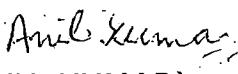
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consequent upon granting seniority to the applicant dated 31.01.1984, the pay of the applicant has also been revised at par with his junior with consequential benefits.

3. Learned counsel for the applicant submits that though fixation of the applicant has been made but consequential benefits have not been paid to him. He further submits that although the benefit has been at par with his junior, Shri Aladin, whereas there were certain other junior persons who were junior to the applicant viz. S/Shri Mahendra Kumar, Roop Chand and these benefits have been given to them ^{at par with} but the same have not been given to the applicant.

4. We have given due consideration to the submission made by the learned counsel for the applicant. Since the order of this Tribunal has been subject to the decision of the Writ Petition No. 10032/2010, as such the present Contempt Petition does not survives. In case the applicant is aggrieved by the order dated 19.11.2010, it will be open for him to file substantive OA. Needless to add that follow up action pursuant to the order dated 19.11.2010 shall be expedited by the respondents within a period of two months from today.

5. With these observations, the Contempt Petition shall stands disposed of. Notices issued to the respondents are hereby discharged.


(ANIL KUMAR)
MEMBER (A)


(M.L. CHAUHAN)
MEMBER (J)

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